

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF TEXAS

WACO DIVISION

MOMENTUM MARKETING SALES
& SERVICE, INC., et al.,
Plaintiff,

v.

CURVES INTERNATIONAL, INC.
Defendant.

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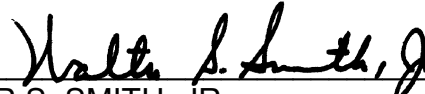
Civil No. W-10-CA-309

ORDER

On this date the Court, *sua sponte*, considers this case. The Court stayed this case on November 15m 2010 and ordered the bankruptcy trustee to give notice to the Court within sixty (60) days whether the trustee desired to proceed with the debtor's action against Defendant Curves or dismiss the action. The bankruptcy trustee did not respond to the Court's Order. Accordingly, it is

ORDERED that this case is **DISMISSED** without prejudice.

SIGNED on this 20th day of January, 2011.



WALTER S. SMITH, JR.
UNITED STATES DISTRICT JUDGE